IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No. 6581 of 2007

Date of Decision: December 19, 2007

Gurdial Singh .....Petitioner

Versus

Dalip Singh Deol and others .....Respondents

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Arun Sanghi, Advocate for the petitioner.

S. D. ANAND, J.

1. While ordering rejection of the plaint under Order 7 Rule 11 of the Code of Civil Procedure, the learned Trial Court also directed that independent proceedings be initiated for recovery of the court fee amount.

2. Learned counsel for the petitioner states that he has no grievance qua the first part of the order inasmuch as he does not presently wish to proceed with the suit itself. His grievance is only qua the latter part of the order.

3. Concededly, the initial order dated 24.9.2007 was not challenged till date and has attained finality. It is vide that order that the plaintiff-petitioner had been directed to levy the deficit court fee.

4. The petition is disposed of with a direction to the petitioner to bring to the notice of the learned Trial Court the fact that he does not wish to proceed with the suit itself. The learned Trial Court shall notice that fact

and pass whatever orders are deemed appropriate in the circumstances of the case. The order with regard to the recovery of court fee shall not been executed till 22.12.2007.

(S. D. ANAND)
JUDGE

December 19, 2007
SRM

Note: Whether referred to reporter ? Yes/No